## UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

AJ SERVICES JOINT VENTURE I, L.L.P.

and

Case 10-CA-109635

## INDUSTRIAL, TECHNICAL AND PROFESSIONAL EMPLOYEES UNION A/W OPEIU, AFL-CIO AS LOCAL 4873

## ORDER<sup>1</sup>

The Employer's petition to revoke subpoena duces tecum B-708035, issued to Custodian of Records for AJ Services Joint Venture I, L.L.P., is denied. <sup>2</sup> The subpoena seeks information relevant to the matters under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoenas. See generally, *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., December 20, 2013.

MARK GASTON PEARCE, CHAIRMAN

HARRY I. JOHNSON, III, MEMBER

NANCY SCHIFFER, MEMBER

<sup>&</sup>lt;sup>1</sup> The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

<sup>&</sup>lt;sup>2</sup> We find no merit in counsel for the General Counsel's assertion that because the Employer entitled its document as "Response to Subpoena Duces Tecum" and sent it by email to a field examiner rather than filing it with the Regional Director, it should be denied on procedural grounds.